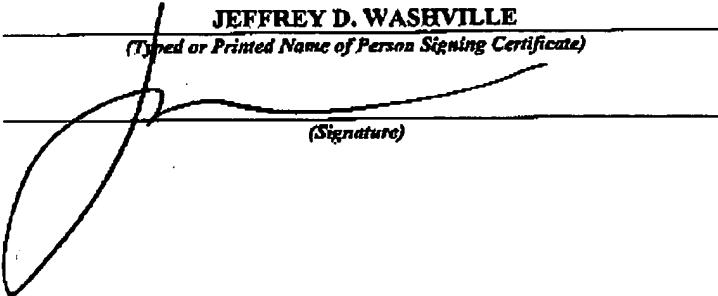


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No. FOS-104-C3
Applicant(s): ERIC T. FOSSEL			
Application No. 08/932,227	Filing Date 09/17/1997	Examiner MULLIS, JEFFREY C.	Group Art Unit 1711
Invention: TOPICAL DELIVERY OF L-ARGININE TO DELIVER BENEFICIAL EFFECTS			
<small>RECEIVED</small> <small>FAX CENTER</small> SEP 29 2004			
<p>I hereby certify that this <u>24 PG RESPONSE W/24 PG ATTACHMENT, AMEND. TRANS WITH 1-MON EXT</u> <small>(Identify type of correspondence)</small></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u>)</p> <p>on <u>29 SEP 2004</u> <i>51 Pgs TOTAL</i> <small>(Date)</small></p> <p style="text-align: center;"><u>JEFFREY D. WASHVILLE</u> <small>(Typed or Printed Name of Person Signing Certificate)</small></p> <p style="text-align: center;"> <small>(Signature)</small></p>			
<p>Note: Each paper must have its own certificate of mailing.</p>			

SEP 29 2004

COMBINED AMENDMENT & PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) (Small Entity)			Docket No. FOS-104-C3																																												
In Re Application Of: Eric T. Fosel																																															
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.																																										
08/932,227	09/17/1997	MULLIS, JEFFREY C		1711	5092																																										
Invention: TOPICAL DELIVERY OF L-ARGININE TO CAUSE BENEFICIAL EFFECTS																																															
<u>COMMISSIONER FOR PATENTS:</u>																																															
<p>This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>29 JUL 2004</u> in the above-identified application.</p>																																															
<p>The requested extension is as follows (check time period desired):</p>																																															
<input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months																																															
from: <u>29 AUG 2004</u> <i>Date</i>			until: <u>29 SEP 2004</u> <i>Date</i>																																												
<p>Applicant claims small entity status. See 37 CFR 1.27.</p> <p>The fee for the amendment and extension of time has been calculated as shown below:</p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="6" style="padding: 5px;">CLAIMS AS AMENDED</th> </tr> <tr> <th></th> <th style="width: 20%;">CLAIMS REMAINING AFTER AMENDMENT</th> <th style="width: 20%;">HIGHEST # PREV. PAID FOR</th> <th style="width: 20%;">NUMBER EXTRA CLAIMS PRESENT</th> <th style="width: 15%;">RATE</th> <th style="width: 15%;">ADDITIONAL FEE</th> </tr> </thead> <tbody> <tr> <td>TOTAL CLAIMS</td> <td>43 -</td> <td>43 =</td> <td>0</td> <td>x \$9.00</td> <td>\$0.00</td> </tr> <tr> <td>INDEP. CLAIMS</td> <td>7 -</td> <td>7 =</td> <td>0</td> <td>x \$43.00</td> <td>\$0.00</td> </tr> <tr> <td colspan="5" style="padding: 5px;">FEE FOR AMENDMENT</td> <td style="padding: 5px;">\$0.00</td> </tr> <tr> <td colspan="5" style="padding: 5px;">FEE FOR EXTENSION OF TIME</td> <td style="padding: 5px;">\$55.00</td> </tr> <tr> <td colspan="5" style="padding: 5px;">TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME</td> <td style="padding: 5px;">\$55.00</td> </tr> </tbody> </table>						CLAIMS AS AMENDED							CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	TOTAL CLAIMS	43 -	43 =	0	x \$9.00	\$0.00	INDEP. CLAIMS	7 -	7 =	0	x \$43.00	\$0.00	FEE FOR AMENDMENT					\$0.00	FEE FOR EXTENSION OF TIME					\$55.00	TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME					\$55.00
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**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
FOS-104-C3

The fee for the amendment and extension of time is to be paid as follows:

- A check in the amount of **\$55.00** for the amendment and extension of time is enclosed.
- Please charge Deposit Account No. **12-2147** in the amount of **\$55.00**
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **12-2147**
 - Any additional filing fees required under 37 C.F.R. 1.16.
 - Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **12-2147**
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

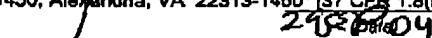

Signature

JEFFREY D. WASHVILLE, REG. NO. 46,366
LORUSSO LOUD & KELLY LLP
15 RYE STREET, SUITE 312
PORTSMOUTH, NH 03801
PHONE (603) 427-0070
FAX (603) 427-5530

cc:

Dated: **29 SEP 2004**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(e)].



Signature of Person Mailing Correspondence

JEFFREY D. WASHVILLE

Typed or Printed Name of Person Mailing Correspondence

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